

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Civil File No. 04-5108 MJD/JGL

SCOTT MALCOLM and TIM MCGOUGH, as Trustees  
of the Carpenters & Joiners Welfare Fund,  
Twin City Carpenters Pension Master Trust Fund,  
Carpenters and Joiners Apprenticeship and Journeymen  
Training Trust Fund, and Twin City Carpenters  
Vacation Fund; and each of their successors,

Plaintiffs,

vs.

**ORDER FOR DISMISSAL  
WITHOUT PREJUDICE**

BEARCAT CONSTRUCTION, INC. and  
JEAN M. FRANKLIN, individually,

Defendants.

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**IT IS HEREBY ORDERED** that this matter is dismissed without prejudice.

Date: July 7, 2005

s/ Michael J. Davis  
The Honorable Michael J. Davis  
United States District Court Judge